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Federal Defender
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Counsel Designated for Service
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Sacramento, California 95814
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Seeking Appointment as Attorney for Defendant
AUSTIN BRUCE CANNON

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. Cr. S 90-122 DLJ
)	
Plaintiff,)	REQUEST FOR APPOINTMENT OF
)	COUNSEL; ORDER
v.)	
)	<u>RETROACTIVE CRACK COCAINE</u>
ANTHONY BRUCE CANNON,)	<u>REDUCTION CASE</u>
)	Date: February 12, 2008
Defendant.)	Time: 10:00 a.m.
)	Judge: Hon. D. LOWELL JENSEN
)	

Pursuant to 18 U.S.C. §§ 3006A(c) and 3582(c)(2), Defendant, ANTHONY BRUCE CANNON, hereby requests the court appoint the Office of the Federal Defender and Assistant Federal Defender David M. Porter as counsel to represent him with respect to his motion to reduce sentence pursuant to 18 U.S.C. § 3582(c)(2), filed January 29, 2008. Mr. Porter is familiar with the case and is willing to accept the appointment.¹

Appointment of counsel would serve the interests of justice in this case because it might facilitate a negotiated disposition of the

¹ Mr. Cannon has authorized the undersigned to file this application on his behalf.

1 motion and because the motion might raise novel legal issues
2 surrounding application of the United States Sentencing Commission's
3 recent retroactive reduction of sentences under the crack cocaine
4 guidelines. Because Mr. Cannon's substantial rights may be affected by
5 these criminal proceedings, he is constitutionally entitled to
6 appointment of counsel. *Mempa v. Rhay*, 389 U.S. 128, 134 (1967).

7 Accordingly, Mr. Cannon requests the Court issue the order lodged
8 herewith.

9 Dated: January 29, 2008

10 Respectfully submitted,

11 DANIEL J. BRODERICK
12 Federal Defender

13 /s/ David M. Porter on behalf A.B.C.

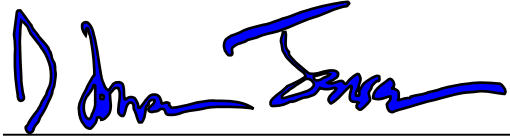
14 DAVID M. PORTER
15 Assistant Federal Defender

16 Seeking Appointment as Attorney for Movant
17 ANTHONY BRUCE CANNON
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O R D E R

Pursuant to defendant's request, and good cause appearing therefor, the Office of the Federal Defender and Assistant Federal defender David M. Porter is hereby appointed to represent defendant with respect to his motion to reduce sentence.

DATED: February 4, 2008



HONORABLE D. LOWELL JENSEN
United States District Judge